REMARKS

Favorable reconsideration is respectfully requested in view of the above amendments and following remarks. By this Amendment claims 1-2, 4, 6-7, 9-10, 12-13, 15, 17-18, 20, 23-27 have been amended and claims 3, 5, 8, 11, 14, 16, 19, 21-22 and 28 have been withdrawn without prejudice or disclaimer.

Filed separately herewith is Credit Card Payment Form PTO-2038 in the amount of $120.00 for a one-month Petition for Extension of Time (also filed separately herewith). If the amount is in error, the Patent and Trademark Office is authorized to debit or credit, as appropriate, Deposit Account No. 06-1358.

In the Office Action claims 1, 2, 4, 6, 7, 9, 10, 12, 13, 15, 17, 18, 20 and 23-27 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

In the Office Action claims 1, 2, 4, 6, 7, 9, 10, 12, 13, 15, 17, 18, 20, 23, 24 and 26-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Neuner et al. DE 19820920.

In the Office Action the Examiner states that DE 2164578 and DE 10121024 (corresponding to Published Application US 2004/0037915 A1) have been considered and concludes that the instant claims are not unpatentable over those documents. However, the Examiner has requested translations of these documents along with DE 19820920 from STIC within the USPTO. Applicants regret that there are no English translations of the documents available at this time.

In the Office Action claims 1, 2, 4, 6, 7, 9, 10, 12, 13, 15, 17, 18, 20, 23, 24 and 26-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Cox U.S. Patent 4,873,824 (Cox).

DE 19820920, known from the search report of the European patent office, discloses a parking blocking device for automatic vehicle gears which blocks in the parking position (P) the gear, but in the neutral position (N) releases the gear. If the vehicle is parked, the adjusting lever 1 engages with its blocking member 9 in a gear wheel of the gear and blocks it. The extension 1c of the adjusting lever 1 is released. If the ignition is switched on and the position N is set, hydraulic liquid flows via duct 5 in hydraulic cylinders 4 and pressurizes the hydraulic piston 3. This piston will be pressed against the force of the spring 7 to the left - the blocking member 9 is drawn back and unlocks the gear. Simultaneously the extension 1c is moved in the direction of the electromagnet which operates an intermediate lever 12 with locking catch. The extension lc is held by the intermediate lever.

If now the motor is switched off, however, the ignition remains switched on, the intermediate lever 12 holds the extension 1c in such a way that the blocking member 9 cannot block the gear. Only when also the ignition has been switched off, is the intermediate lever 12 released.

The construction of this locking unit, however, is very expensive. The long lever arms la, lb, and, in particular, the extension 1c are stressed considerably by the mechanical strain, and may break in the course of operation. In addition, the required space for this arrangement is very large.

The intermediate lever 12 itself is not elastic. In order to release the adjustment lever 1 it carries out a swinging movement which is activated by means of the pressure spring 14. If the magnet is supplied with electricity it attracts the intermediate lever 12 and thus makes catching of the adjustment lever 1 possible. The intermediate lever has to be made completely or at least on the contact surface of a magnetizable material so that the magnet can attract it. another disadvantage of this arrangement is the fact that the distance between intermediate lever and contact surface 11 a of the magnet is quite large in the inactive condition.

Also the distance above the region of the contact surface to the intermediate lever is different. In the right hand region it is, in the swung out position, smaller than in the left hand region. The result is that the magnet cannot act optimally. Thus a relatively strong electromagnet has to be used for a reliable operation. Furthermore, this electromagnet does not have an armature (if necessary, with armature rod), by means of which the electromagnet could operate essentially more conveniently and with less dimensions and electricity. the complete arrangement is altogether ineffective.

In the invention, turning and swinging movements are avoided altogether. A blocking unit is proposed which is operated with purely axial movements. The blocking unit according to the invention therefore has a compact construction. In contrast to the invention in the DE 19820920 reference, not the actuating element (intermediate lever) itself is attracted by the electromagnet, so that it can release the locking piston, but the armature rod presses the elements of the actuating elements by means of the bolt 11 away from each other and away from the catching position. The actuating element may, in contrast to the cited state of the art, consist of a non-magnetic material.

DE 2164578 describes a claw locking device for locking a piston in a cylinder, the elastically springing claws of which are fixed by means of a safety sleeve 4. The projections of the claws are provided on both sides with inclined stop faces so that the claws can glide in both directions over the edge of an indentation receiving one of the projections of the claws. The claws are fixed in the indentation by a safety sleeve which is pushed over the claws. The description dons not explain how the safety sleeve is pushed over the claws. An electromagnet is not mentioned.

According to the invention the claws (actuating element) have an inclined stop face only in one direction and in the other direction a catch. The piston is only released by a mechanical spreading of the claws.

DE 10121024 discloses a lock for a driving device, in particular for the locking unit, the injection unit or the ejector of a plastic injection moulding machine. If the piston 36 sits close to the die platen the pressure helical spring 60 is tensioned in such a way that it can transmit the power necessary for the adjustment movement of the die platen of a plastic injection moulding machine without increasing the pretension. In order to close the mould the piston 28 is moved, by means of an electromotor, against a pressure space 35 which effects that the piston 36 is moved to the right. If the mould is closed, the piston 28 is moved further to the right, which causes pressure to be executed on the spring 60 which presses the locking device of the mould against the mould with high pressure. By further introducing the piston 28 into the opening 56 of the piston 36 the pressure in the pressure space 35 is increased, preventing, where, for the time being, the accordingly pre-tensioned pressure helical spring prevents the cylinder from evading to the left. By further increasing the pressure finally the cylinder surface 43 is spread so far that it comes to sit close to the interior wall of the bore 9. By means of that the cylinder 37 is held in its position by clamping, that means by frictional engagement, even if this can no more be carried out by the pressure helical spring alone.

The mould is now kept closed by a high locking pressure which results from the product of the pressure in the pressure space and the active surface of the large piston 36, minus the force of the pressure helical spring 60. The reaction power of the lifting spindle, on the other hand, is defined by the product of the pressure in the pressure space and the essentially smaller active surface of the small piston 28. The load of the ball screw gear therefore is small. In this specification a locking unit for a piston is described where the actuating element interacts two-dimensionally with the catch element. The movement of the piston 28 here is carried out here by a lifting spindle and not by means of an electromagnet, as according to the invention.

Even the combined examination of these two specifications does not lead to the invention as a combination of a claw locking device and the advance of the safety sleeve by means of the lifting spindle does not lead to a spreading of the claws to release the piston.

The claims are also rejected because of US Patent No. 4,873,824. This patent discloses a brake locking device for theft protection of vehicles, where in the main cylinder the pressure on the brakes is maintained.

For that purpose between a servobrake and a main braking cylinder A, a blocking device 10 is provided, comprising a piston with catch projections on the piston rod, and a second piston which is arranged traverse to it, which engages in the catches or releases them. This second piston can be controlled by means of an electromagnet 200, see Figs. 6 and 7.

In contrast to the invention here the armature rod of the electromagnet is not in a line with the pressurized piston, but traverse to it which requires more space.

Having overcome all outstanding grounds of rejection, favorable action on the merits and allowance of Applicants' claims are in order and are respectfully solicited.

Respectfully submitted,

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